

2005 DRAFTING REQUEST

Bill

Received: **10/04/2004**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - day care**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Fath, BB0138 -

Topic:

Transfer of day care licensing from DHFS to DWD

Instructions:

See Attached--transfer day care licensing from DHFS to DWD

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/08/2004	wjackson 10/30/2004 wjackson 11/30/2004		_____ _____ _____ _____			
/1			rschluet 12/01/2004	_____ _____	sbasford 12/01/2004		State
/2	gmalaise 01/11/2005	wjackson 01/12/2005	rschluet 01/13/2005	_____ _____	lnorthro 01/13/2005		State
/3	gmalaise 01/17/2005	wjackson 01/18/2005	pgreensl 01/18/2005	_____ _____	sbasford 01/18/2005		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/4	gmalaïse 01/26/2005	wjackson 01/27/2005	rschluet 01/27/2005	_____	mbarman 01/27/2005		State
/5	gmalaïse 02/07/2005	kfollett 02/08/2005	chaugen 02/08/2005	_____	sbasford 02/08/2005		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 10/04/2004

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Fath

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - day care

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Fath, BB0138 -

Topic:

Transfer of day care licensing from DHFS to DWD

Instructions:

See Attached--transfer day care licensing from DHFS to DWD

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/08/2004	wjackson 10/30/2004 wjackson 11/30/2004		_____			
/1			rschluet 12/01/2004	_____	sbasford 12/01/2004		State
/2	gmalaise 01/11/2005	wjackson 01/12/2005	rschluet 01/13/2005	_____	lnorthro 01/13/2005		State
/3	gmalaise 01/17/2005	wjackson 01/18/2005	pgreensl 01/18/2005	_____	sbasford 01/18/2005		State

15 KJL
2/8

CH 2-8

12/2/04
JK

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/4	gmalaie 01/26/2005	wjackson 01/27/2005	rschluet 01/27/2005	_____	mbarman 01/27/2005		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 10/04/2004

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - day care**

Extra Copies: **PSK**

Submit via email: **NO**

Pre Topic:

DOA:.....Fath, BB0138 -

Topic:

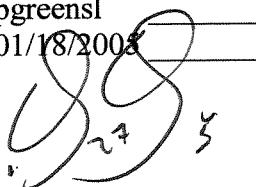
Transfer of day care licensing from DHFS to DWD

Instructions:

See Attached--transfer day care licensing from DHFS to DWD

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/08/2004	wjackson 10/30/2004 wjackson 11/30/2004					
/1			rschluet 12/01/2004		sbasford 12/01/2004		State
/2	gmalaise 01/11/2005	wjackson 01/12/2005	rschluet 01/13/2005		lnorthro 01/13/2005		State
/3	gmalaise 01/17/2005	wjackson 01/18/2005	pgreensl 01/18/2005		sbasford 01/18/2005		



FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 10/04/2004

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Administration-Budget

By/Representing: Fath

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Children - day care

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Fath, BB0138 -

Topic:

Transfer of day care licensing from DHFS to DWD

Instructions:

See Attached--transfer day care licensing from DHFS to DWD

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/08/2004	wjackson 10/30/2004 wjackson 11/30/2004		_____ _____ _____ _____			
/1			rschluet 12/01/2004	_____ _____	sbasford 12/01/2004		State
/2	gmalaise 01/11/2005	wjackson 01/12/2005	rschluet 01/13/2005	_____ _____ _____ _____	lnorthro 01/13/2005		

FE Sent For:

13 WLj 1/18

1/18
1/18
1/18
1/18

<END>

2005 DRAFTING REQUEST

Bill

Received: **10/04/2004**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - day care**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Fath, BB0138 -

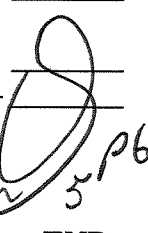
Topic:

Transfer of day care licensing from DHFS to DWD

Instructions:

See Attached--transfer day care licensing from DHFS to DWD

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/08/2004	wjackson 10/30/2004 wjackson 11/30/2004		_____ _____ _____ _____			
/1		1/2 Wlj 1/12	rschluet 12/01/2004		sbasford 12/01/2004		

FE Sent For:

 3-12-06
<END>

2005 DRAFTING REQUEST

Bill

Received: **10/04/2004**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - day care**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Fath, BB0138 ✓

Topic:

Transfer of day care licensing from DHFS to DWD

Instructions:

See Attached--transfer day care licensing from DHFS to DWD

Drafting History:


<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise	1 WJ 11/29					

FE Sent For:

4 <END>

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Transfer Day Care Licensing Function from DHFS to DWD
- Tracking Code: (Assigned by Government Operations Team) BB0138
- SBO team: Education
- SBO analyst: Erin Fath
 - Phone: 266-8219
 - Email: erin.fath@doa.state.wi.us
- Agency acronym: DWD
- Agency number: 445

Date: October 1, 2004
To: Steve Miller
From: Erin Fath 
Subject: Statutory Language Request

DIN 5510: Transfer Day Care Licensing Function from DHFS to DWD

1. Transfer responsibility for the licensing of family and group day care facilities from DHFS to DWD. See attachment for specific changes.
2. Modify the chapter 20 appropriation language. See attachment for specific changes.
3. Include a non-statutory provision that requires DHFS and DWD to work together to identify the specific positions and funds to be transferred from DHFS. The plan for transferring positions and funds would have to be approved by the Legislature.
4. For now, make the changes effective July 1, 2006.

If you have any questions, please call me at 6-8219, or send me an email at erin.fath@doa.state.wi.us.

Thank you.

Transfer Family and Group Day Care Licensing Function from DHFS to DWD

Here are the changes I've identified – I'm sure there will be others. In some instances, it should work to simply renumber whole sections¹. For other sections, I think it will be necessary to delete the references to "day care" (or day care centers or day care employees), and then create the same language under Chapter 49 with specific reference to day care. This should provide DWD with the authority to perform functions related to licensing day care facilities.

Changes affecting Chapter 48

- 1) 48.48 (10) – delete reference to day care centers; create language under chapter 49 to authorize DWD to license day care centers.
- 2) Subchapter XV, DAY CARE PROVIDERS – delete subchapter title
- 3) 48.65 – renumber into chapter 49
- 4) 48.651 – renumber into chapter 49
- 5) 48.653 – renumber into chapter 49 (there is a reference to county agencies providing child welfare services, but since the information to be provided concerns basic child care and licensing and certification requirements for day care providers, I think this can be moved entirely to chapter 49).
- 6) 48.655 – renumber into chapter 49
- 7) 48.656 – renumber into chapter 49
- 8) 48.657 – renumber into chapter 49
- 9) SUBCHAPTER XVI – amend to delete reference to day care centers
- 10) 48.66 (1)(a) – delete the reference to "day care centers, as required by s.48.65" and create language under chapter 49 to create this responsibility in DWD for day care licensing
- 11) 48.66 (1)(c) – I think we need to create similar language in chapter 49 (day care license would be valid until revoked)
- 12) 48.66 (2), (2m), (3) and (5) – delete references to day care centers and create similar language in chapter 49 that would create these responsibilities in DWD for day care licensing
- 13) 48.67 – delete references to day care centers and create similar language in chapter 49 that would create these responsibilities in DWD for day care licensing. I think the last sentence of this paragraph could come out of 48.67 entirely (it relates only to day care centers).
- 14) 48.675 – no changes
- 15) 48.68 (1) – I think we need to create this language, as it relates to day care licensing, under chapter 49 (although I believe the last sentence of s.48.68 (1) does not apply to day care).
- 16) 48.68 (2), (3) and (4) – no changes (not related to family or group day care)

¹ Within those sections that will be renumbered, there are many references to s.48.65, 48.651, 48.67, 48.69 and s.48.70, which we'd have to modify to reflect the new sections being created in chapter 49.

Transfer Family and Group Day Care Licensing Function from DHFS to DWD

- 17) 48.685 – at this point, I am not sure what the intent is concerning background checks for day care employees, so you can hold off on making changes until I get this issue clarified.
- 18) If the decision were to continue having DHFS perform this function for day care center employees, maybe we'd include a provision that specifies that DHFS will share information with DWD? If the decision is that that this will be a responsibility of DWD, then I guess we'd have to delete all the references to day care from s.48.685, and then create similar language under chapter 49 for DWD. Regardless of the decision, we will have to address s.48.685 (4m)(a) [see next point].
- 19) 48.685 (4m) (a) – delete reference to "a county department may not certify a day care provider under s.48.651". Create language in chapter 49 that directs DWD **not** to license, continue or renew the license of a day care provider (and for counties not to certify a day care provider) if knowledge of criminal history or abuse is known or should have been known by the department or the county.
- 20) 48.69 – delete references to day care center and create language in chapter 49 to give DWD this responsibility with respect to day care facilities
- 21) 48.70 (1) – create similar language in chapter 49 for day care licenses
- 22) 48.715 – delete references to day care centers and create similar language in chapter 49 that would give DWD the authority to impose sanctions and penalties on day centers for the reasons cited under 48.715.
- 23) 48.72 – create language in chapter 49 relating to an appeal procedure for a person aggrieved by DWD's refusal or failure to issue, renew or continue a license for day care
- 24) 48.73 – delete references to day care center and create language in chapter 49 that authorizes DWD to perform this function for day care centers
- 25) 48.735 – renumber into chapter 49
- 26) 48.737 – renumber into chapter 49
- 27) 48.74 – delete reference to 48.65 (day care) and create language in chapter 49 to create this responsibility in DWD for day care
- 28) 48.745, 48.75 – no changes
- 29) 48.76 and 48.77 – delete references to 48.65 (day care) and create language under chapter 49 relating to penalties for violations, and injunction against violations, of the day care licensing section (as renumbered into chapter 49)

Transfer Family and Group Day Care Licensing Function from DHFS to DWD

30) Changes affecting Chapter 49

- 31) 49.155 (1), (1d), (3), (4) – modify references to s.48.65/48.651 to reflect the renumbered sections in chapter 49.
- 32) 49.155 (1g)(c) – this section can come out, since we wouldn't be transferring the funds from DWD [s.20.445 (3)(mc)] to DHFS [20.435 (3)(kx)].
- 33) There are probably many other references to current law s.48.65/48.651 in chapter 49 that will need to be modified to reflect the renumbered sections in chapter 49; I'm sure I didn't get all of them.

34) Changes affecting Chapter 20

- 35) 20.435 (3)(jm) – delete the reference to day care centers under s. 48.65; this appropriation would no longer receive licensing fees charged to day care providers
- 36) 20.445 (3)(cm) – add "the costs of licensing day care centers under ..." as a use for these funds; GPR funds would be transferred from DHFS' general program operations appropriations to this appropriation in DWD
- 37) 20.445 (3)(jm) – add "the costs of licensing day care centers under ..." as a use for these revenues; this is the appropriation in DWD that would receive the day care licensing fees charged to providers